

### Remarks

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Initially, the title of the invention on page 1 of the specification has been amended to correct an idiomatic error.

With regard to the restriction requirement, although the Examiner acknowledges Applicants' argument that the Examiner has not provided any evidence showing or demonstrating another process (other than the claimed process) by which the claimed compounds can be made, the Examiner takes the position that using different synthetic routes to make the silicon compound represented by formula (1) is "routine knowledge for an organic chemist." The Examiner further takes the position that he is not required to provide evidence for what is well known in the art.

However, Applicants are not aware of any synthetic routes which could be used to prepare the silicon compounds of formula (1) other than hydrolysis or transesterification (as now recited in amended claim 1 set forth above). Applicants continue to take the position that MPEP 806.05(f) requires that the Examiner **show or demonstrate** that the silicon compounds of formula (1) can be made by another materially different process than that claimed in claim 1. In the absence of such a showing, Applicants respectfully submit that the restriction requirement should be withdrawn.

In response to the rejection of claims 1-18, 22-32 and 38 under 35 U.S.C. §112, claim 1 has been amended to change "characterized by using" to --which comprises subjecting--, followed by a recitation of hydrolysis or transesterification in the presence of an acid or basic catalyst, which is based on the disclosure in paragraph [0058] of the specification. In view of these amendments, it is apparent that the rejection of the claims under 35 U.S.C. §112 should be withdrawn.

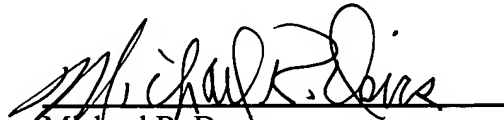
The objection to claim 1 on the basis of the word "characterized" has also been overcome by the amendments to claim 1.

Therefore, in view of the foregoing amendments and remarks, it is submitted that each of the grounds of objection and rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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By:

A handwritten signature in black ink, appearing to read "Michael R. Davis", written over a horizontal line.

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